

## **LOUISIANA UNIFIED CERTIFICATION PROGRAM AGREEMENT**

We, the undersigned U.S. Department of Transportation (DOT) recipients, do hereby agree to participate in a Unified Certification Program, as required by 49 CFR Part 26.81. This Agreement includes all DOT recipients and subrecipients in the State of Louisiana which award contracts that total over \$250,000.00.

**The State of Louisiana has developed a Unified Certification Plan containing the definitions, requirements, process, and forms which will be used by the Certifying Agencies identified below. This manual is attached as Exhibit A, and becomes a part of this Agreement.**

**The Louisiana Department of Transportation and Development (LADOTD), the Louis Armstrong New Orleans International Airport, Orleans Levee District, and New Orleans Regional Transit Authority have been identified as agencies authorized to provide certification services in the State of Louisiana. These agencies will be responsible for certifying firms whose primary place of business is located in the following regions:**

Region 1 - The Louisiana Department of Transportation and Development may certify any firm doing business in the State of Louisiana. Further, the DOTD has entered into agreements with certain DOT recipients within the state to handle issues relative to DBE certification. All current and future recipients that receive funds from DOT shall be required to accept and be bound by this UCP. All agreements are attached as Exhibit B. DOTD shall not certify firms whose primary line of work falls under the concessionaire category. Concessionaire firms will be referred to the certifying agency which is located nearest to their primary place of business.

Region 2 - The Louis Armstrong New Orleans International Airport through the New Orleans Aviation Board, Orleans Levee District through its Board of Commissioners and the New Orleans Regional Transit Authority will certify firms that have their principal place of business in Region 2 as shown on the attached map identified as Exhibit C.

The LAUCP makes the following representations:

1. The LAUCP agrees to follow all certification procedures and standards of 49 CFR Part 26, Subpart E on the same basis as recipients. Further, it will cooperate fully with oversight, review and monitoring activities of DOT and

its operating administrations. All obligations of recipients with respect to certification and non-discrimination will be carried out by the LAUCP.

2. All direct recipients of DOT funds in Louisiana have signed this agreement, and will accept DBE certification decisions rendered by any of the aforementioned agencies.
3. LAUCP requires all certifications to be pre-certifications in that certifications will be made final before the due date for bids or offers on a contract on which a firm seeks to participate as a DBE.
4. Sufficient resources and expertise will be made available to allow LAUCP to carry out the responsibilities contained herein. Each Certifying Agency will bear its individual and joint costs in a fair and equitable manner. Each Certifying Agency will continue to bear its own costs, such as site visits, travel expenses and administrative costs. The LA DOTD will bear the cost of creating the LAUCP's web site.
  - a. LAUCP has developed an implementation schedule ensuring that the UCP is fully operational no later than 18 months following the approval of the agreement by the Secretary. LAUCP will meet on a monthly basis to ensure a seamless integration of the program. A Program Evaluation Review Technique (Pert) chart is attached as Exhibit D.
    - Create Standardized Form Letters
    - Notification to Recipients re process
    - Final Design of Software
    - Purchase and Installation of Hardware
    - Integrate directory databases
    - Site visit to Certifying Agencies for systems inspection, training and technical assistance
    - Evaluation and Report of Systems (12 month)
5. A firm that does not have its principal place of business in Louisiana may apply to be certified with any of the Certifying Agencies, as long as the firm has obtained DBE certification from its home state UCP. Any application received from a firm that is not certified in its home state will be sent back to the applicant for certification and site visit by their home state UCP.
6. The participants in Louisiana's Unified Certification Program (LAUCP) have agreed that the LA DOTD will be responsible for maintaining one centralized directory, which shall be Internet based. This directory will be in

place and operating within 180 days from the date of US DOT approval of our plan. The directory shall be printed and issued monthly on a date to be set by the Executive Committee. The LAUCP will maintain a unified DBE directory listing all firms certified by LAUCP (including those from other states certified under these regulations), the information required by 49 CFR §26.31. The LAUCP will make the directory available to the public electronically, on the Internet, as well as in print. The electronic version of the directory shall be updated by including additions, deletions, and other changes as soon as they are made.

One database will be established that will tie all four agencies together. The DOTD will bear the cost for the main server for the system. Each Certifying Agency will be responsible for purchasing its own hardware. The LAUCP will be responsible for the development of the software. The cost of the software will be developed and paid for jointly. Each Certifying Agency will update all information on the files that it processes although DOTD will be responsible for hosting the information.

Access/Security levels are as follows:

- Level I - Each certifying agency will be able to access its files for updates and posting of real time information, and will be able to access all files for status review.
- Level 2 - Each recipient will be able to access for status review.
- Level 3 - Any user will be able to access the unified directory that will have real time updates of certification status.

Program Features:

- Daily updates for recipients
- Newsletter/Resource information for the general public
- Upcoming Projects
- Contracts Awarded/ News postings
- Links to recipient web pages

Centralized information will be posted and maintained by DOTD. Individual file information such as annual updates, site visit reports, recertifications, and decertifications will be posted and maintained by each Certifying Agency. Each Certifying Agency shall have full access to the certification file of any applicant or certified firm within the program. Decisions will be communicated to applicants and recipients within fourteen calendar days via U. S. mail. Decisions regarding decertifications and denials will be sent via certified mail.

The LAUCP membership is defined as one member from each DOT recipient in the State of Louisiana. The LAUCP shall have an Executive Committee, comprised of one representative from each Certifying Agency and two members at large from two separate, non-certifying agencies, to be elected by a majority of the membership present and voting. The Executive Committee shall meet quarterly or when circumstances warrant a special meeting beginning upon program approval.

The Executive Committee shall ensure uniformity among the Certifying Agencies and shall make recommendations for amendments/revisions to the UCP Agreement or any associated documents or materials related to the Program. Other committees may be appointed as deemed necessary by the Executive Committee.

The Executive Committee shall:

- Create and amend operational standards for each Certifying Agency
- Monitor and evaluate performance levels for each Certifying Agency on at least a semi-annual basis. Any Certifying Agency that does not comply with corrective action recommended by the Executive Committee shall be subject to removal as a Certifying Agency. Removal as a Certifying Agency shall not affect the recipient's standing as a member of the LAUCP.
- Monitor the development and implementation of the certification directory database including software and hardware.
- Develop LAUCP membership fee structure, if any
- Resolve decisions relative to decertifications and denials of recertifications
- Shall be responsible for initial consolidation of DBE registries until fully operational
- Resolve dispute resolutions of certification

All parties signed herein agree to be bound by this Agreement and the attached Plan and Process Manual. All parties agree that this document shall be valid and binding when executed in multiple counterparts. Each counterpart, when considered collectively with the others, shall constitute the entire agreement between the parties. Subrecipients will be committed to follow the decisions of the UCP. Specific language will be included in future sub grant agreements.

**Signing as Secretary, Louisiana Department of Transportation and Development**

BY \_\_\_\_\_  
**Johnny Bradberry**